

1000 FEB 17 PM 2:47  
HOUSE OF REPRESENTATIVES

I certify that the attached is a true and  
correct copy of hjr 29, which  
was filed of record on JAN 26 1983  
and referred to the committee on:  
Financial Institutions

*Becky Murray*  
Chief Clerk of the House

By 

FILED JAN 26 1983  
h J.R. No. 29

A JOINT RESOLUTION

1 proposing a constitutional amendment relating to the powers of  
2 state-chartered banks.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. That Article XVI, Section 16, of the Texas  
5 Constitution be amended by adding Subsection (c) to read as  
6 follows:

7 (c) A corporate body created by virtue of the power granted  
8 by this section, notwithstanding any other provision of this  
9 section, has the same rights and privileges that are or may be  
10 granted to national banks of the United States.

11 SECTION 2. This proposed constitutional amendment shall be  
12 submitted to the voters at an election to be held on November 6,  
13 1984. The ballot shall be printed to provide for voting for or  
14 against the proposition: "The constitutional amendment to provide  
15 state banks the same rights and privileges as national banks."

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

March 7, 1983

Honorable W. G. "Bill" Coody, Chair  
Committee on Financial Institutions  
House of Representatives  
Austin, Texas

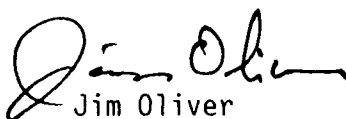
In Re: House Joint Resolution No. 29  
By: Coody

Sir:

In response to your request for a Fiscal Note on House Joint Resolution No. 29 (proposing a constitutional amendment relating to the powers of state-chartered banks) this office has determined the following:

No significant fiscal implication to units of local government is anticipated.

The cost of publication of this resolution is \$52,350.

  
Jim Oliver  
Director

Source: Secretary of State; Department of Banking;  
LBB Staff: JO, JH, LF, LV

H.J.R. 29  
By: Coody

Committee on Financial Institutions

BILL ANALYSIS

Background Information.

Under current law, national banks and state banks do not enjoy the same rights and privileges.

Purpose.

H.J.R. 29 seeks to grant to state banks the same rights and privileges that are or may be granted to national banks.

Section-by-Section Analysis.

Section 1: Seeks to amend Art. XVI, §16, Texas Constitution, by adding a provision that state banks shall have the same rights and privileges that are or may be granted to national banks.

Section 2: Provides that this proposed Constitutional amendment shall be submitted to the voters at an election to be held on November 6, 1984, and that the ballot shall identify the proposition as "the Constitutional amendment to provide state banks the same rights and privileges as national banks."

Rulemaking Authority.

The Committee has determined that no rulemaking authority is granted to any state officer, agency, department or institution.

Summary of Committee Action.

Pursuant to notice having been posted in accordance with Rule 4, §12, Rules of Procedure of the House of Representatives, a public hearing was held on March 9, 1983. Ruben Johnson, representing himself, and Don Cavness, representing the Texas Bankers Association, spoke for the Bill, and Archie Clayton, General Counsel for the State Banking Department, acted as resource witness. The Bill was amended so as to add to the end of the sentence comprising subsection (c) on line 10 of Section 1 the phrase "domiciled in this State." The Committee voted unanimously in favor of a subsequent motion that the Bill, as amended, be reported back favorably to the Floor of the House with the recommendation that it do pass.

1983 MAR 14 PM 6:44  
HOUSE  
COMMITTEE REPORT

1st Printing

By Coody

H.J.R. No. 29

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14 against the proposition: "The constitutional amendment to provide  
15 state banks the same rights and privileges as national banks."

H.J.R. No. 29

1                                    COMMITTEE AMENDMENT NO. 1

2                    Amend HJR 29 by adding the following words at the end of the  
3 sentence in Section 1. (c):

4                    "domiciled in this State"

Wallace

COMMITTEE REPORT

3-9-83

(date)

The Honorable Gib Lewis  
Speaker of the House of Representatives

Sir:

We, your COMMITTEE ON FINANCIAL INSTITUTIONS, to whom was referred HJR 29 have had the same under consideration and beg to report back with the recommendation that it (measure)

- ( ) do pass, without amendment.  
(☒) do pass, with amendment(s).  
( ) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. (☒ yes ( ) no

An author's fiscal statement was requested. ( ) yes (☒ no

An actuarial analysis was requested. ( ) yes (☒ no

The Committee recommends that this measure be placed on the ~~(Local)~~ or ~~(Consent)~~ Calendar.


This measure (☒ proposes new law.  
(☒ amends existing law.

House Sponsor of Senate Measure \_\_\_\_\_

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Coody, Ch.	<input checked="" type="checkbox"/>			
Wallace, V.C.	<input checked="" type="checkbox"/>			
Robnett, C.B.O.	<input checked="" type="checkbox"/>			
Arnold	<input checked="" type="checkbox"/>			
Hammond	<input checked="" type="checkbox"/>			
McKenna	<input checked="" type="checkbox"/>			
Patronella	<input checked="" type="checkbox"/>			
Russell	<input checked="" type="checkbox"/>			
Wright	<input checked="" type="checkbox"/>			

Total  
9 aye  
0 nay  
0 present, not voting  
0 absent

  
CHAIRMAN  
Rynolds  
COMMITTEE COORDINATOR

H.J.R. 29  
By: Coody

Committee on Financial Institutions

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Amendment No. 1

By: Wallace

Amend HJR 29 by adding the following words at the end of the sentence in Section 1. (c):

"domiciled in this State"

**ADOPTED**

MAR 28 1983

*Betty Mussey*  
Chief Clerk  
House of Representatives



1983 MAR 23 PM 6:20  
HOUSE OF REPRESENTATIVES

# HOUSE ENGROSSMENT

By Coody

H.J.R. No. 29

## A JOINT RESOLUTION

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9 section, has the same rights and privileges that are or may be  
10 granted to national banks of the United States domiciled in this  
11 State.

12 SECTION 2. This proposed constitutional amendment shall be  
13 submitted to the voters at an election to be held on November 6,  
14 1984. The ballot shall be printed to provide for voting for or  
15 against the proposition: "The constitutional amendment to provide  
16 state banks the same rights and privileges as national banks."

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

March 7, 1983

Honorable W. G. "Bill" Coody, Chair  
Committee on Financial Institutions  
House of Representatives  
Austin, Texas

In Re: House Joint Resolution No. 29  
By: Coody

Sir:

In response to your request for a Fiscal Note on House Joint Resolution No. 29 (proposing a constitutional amendment relating to the powers of state-chartered banks) this office has determined the following:

No significant fiscal implication to units of local government is anticipated.

The cost of publication of this resolution is \$52,350.

  
Jim Oliver  
Director

Source: Secretary of State; Department of Banking;  
LBB Staff: JO, JH, LF, LV

1 By: Coody (Senate Sponsor - Traeger) H.J.R. No. 29  
2 (In the Senate - Received from the House March 29, 1983;  
3 March 30, 1983, read first time and referred to Committee on  
4 Economic Development; April 25, 1983, reported favorably;  
5 April 25, 1983, sent to printer.)

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21 against the proposition: "The constitutional amendment to provide  
22 state banks the same rights and privileges as national banks."

23 \* \* \* \* \*

24 Austin, Texas  
25 April 25, 1983

26 Hon. William P. Hobby  
27 President of the Senate

28 Sir:

29 We, your Committee on Economic Development to which was referred  
30 H.J.R. No. 29, have had the same under consideration, and I am  
31 instructed to report it back to the Senate with the recommendation  
32 that it do pass and be printed.

33 Harris, Chairman

# LEGISLATIVE BUDGET BOARD

Austin, Texas

## FISCAL NOTE

March 7, 1983

Honorable W. G. "Bill" Coody, Chair  
Committee on Financial Institutions  
House of Representatives  
Austin, Texas

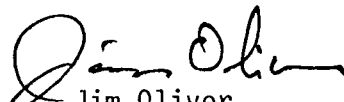
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F

## ENROLLED

H.J.R. No. 29

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H.J.R. No. 29

---

President of the Senate

---

, Speaker of the House

I certify that H.J.R. No. 29 was passed by the House on March 28, 1983, by the following vote: Yeas 126, Nays 8, 7 present, not voting.

---

Chief Clerk of the House

I certify that H.J.R. No. 29 was passed by the Senate on May 19, 1983, by the following vote: Yeas 29, Nays 1, 1 present, not voting.

---

Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

---

Governor

RECEIVED: \_\_\_\_\_

Date

---

Secretary of State

H. J. R. No. 29

By [Signature]

HOUSE JOINT RESOLUTION

proposing a constitutional amendment relating to the powers of state-chartered banks.

JAN 26 1983

1. Filed with the Chief Clerk.

FEB 17 1983

2. Read first time and referred to Committee on

Financial Institutions

MAR 9 1983

3. Reported favorably (as amended) and sent to Printer at

3:45 pm  
MAR 14 1983

MAR 14 1983

4. Printed and distributed at

6:43 p.m.

MAR 15 1983

5. Sent to Committee on Calendars at

8:22 am

MAR 28 1983

6. Read second time (amended) and (finally) passed to ~~Third Reading~~ by a Record Vote of 126 yeas, 8 nays, 7 present, not voting.

7. Motion to reconsider and table the vote by which H.J.R. \_\_\_\_\_ was ordered engrossed prevailed (failed) by (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting).

8. Read third time (amended) and finally adopted (failed of adoption) by a Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting.

9. Caption ordered amended to conform to body of resolution.

10. Motion to reconsider and table the vote by which H.J.R. \_\_\_\_\_ was finally adopted prevailed (failed) by a (Non-Record Vote) Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

MAR 28 1983

11. Ordered Engrossed at

4:25 pm

MAR 28 1983

12. Engrossed.

MAR 28 1983

13. Returned to Chief Clerk at

6:20 p.m.

MAR 29 1983

14. Sent to the Senate.

Betty Murray  
Chief Clerk of the House

MAR 29 1983

15. Received from the House

MAR 30 1983

16. Read, referred to Committee on

ECONOMIC DEVELOPMENT

APR 25 1983

17. Reported favorably

18. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

19. Ordered not printed.

MAY 19 1983

20. Regular order of business suspended by

Y.C.  
(a viva voce vote.)  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

21. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

MAY 19 1983

22. Read second time

passed to third reading by:  
(a viva voce vote.)  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

1983 MAR 28 PM 3:20  
HOUSE OF REPRESENTATIVES

23. Caption ordered amended to conform to body of bill.

MAY 19 1983

24. Senate and Constitutional 3-Day Rules suspended by vote of 29 yeas,  
2 nays to place bill on third reading and final passage.

MAY 19 1983

25. Read third time and passed by

(a viva voce vote.)  
( 29 yeas, 1 nays.)  
1 PNV

OTHER ACTION:

OTHER ACTION:

*Betty King*

Secretary of the Senate

5-19-83

26. Returned to the House.

MAY 19 1983

27. Received from the Senate (with amendments.)  
(as substituted.)

28. House (Concurred) (Refused to Concur) in Senate (Amendments) by a (Non-Record  
(Substitute) Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present,  
not voting).

29. Conference Committee Ordered.

30. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record  
Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

MAY 19 1983

31. Ordered Enrolled at

2:56 pm

1983 MAR 14 PM 6:43  
HOUSE OF REPRESENTATIVES